

**PROFESSIONAL GEOLOGIST SECTION MEETING
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS,
HYDROLOGISTS AND SOIL SCIENTISTS
MINUTES
FEBRUARY 15, 2006**

PRESENT: Thomas Evans, Joan Underwood Fallon, Sue E. Bridson,
William N. Mode, and Brenda Halminiak (observed)

STAFF PRESENT: Tim Wellnitz, Bureau Director; William Black, Legal Counsel;
Gina York, Bureau Assistant; Division of Enforcement, and other
Department staff

GUESTS: None

CALL TO ORDER

Thomas Evans, Chair, called the meeting to order at 1:14 p.m. A quorum of four members was present. Brenda Halminiak has been nominated as a new Section member and observed today's Section meeting.

ADOPTION OF AGENDA

MOTION: William Mode moved, seconded by Joan Underwood, to approve the agenda as published. Motion carried unanimously.

MOTION: Joan Underwood moved, seconded by William Mode, to allow Brenda Halminiak to sit in on closed session. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2006

MOTION: Sue Bridson moved, seconded by Joan Underwood, to nominate William Mode as Chair. Motion carried unanimously.

MOTION: Joan Underwood moved, seconded by William Mode, to nominate Thomas Evans as Vice Chair. Motion carried unanimously.

MOTION: Joan Underwood moved, seconded by Thomas Evans, to nominate Sue Bridson as Secretary. Motion carried unanimously.

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The meeting was turned over to the new chair, William Mode, at 1:18 p.m.

APPOINT BOARD'S REPRESENTATIVES FOR SCREENING PANEL BY BOARD CHAIR

William Mode, Chair, appointed Thomas Evans to serve as the screening panel member for 2006.

APPROVAL OF MINUTES AUGUST 18, 2005

MOTION: Thomas Evans moved, seconded by Sue Bridson, to approve the minutes of August 18, 2005 as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Tim Wellnitz, Bureau Director of Business and Design, welcomed the Section to the new space and then completed the annual policy review and 2006 meeting dates.

ANNUAL POLICY REVIEW WITH THE BOARD

Tim Wellnitz, Director of Business and Design, did an annual review of department policies with the Section at today's meeting. They are as follows:

- 1) Agendas and Addendums Policy: This policy was reviewed with the Section and it was clarified with them that agenda items can be submitted up to three weeks before the upcoming scheduled meeting date. After that deadline, an addendum would be required. An addendum is used only to post items that are of an urgent nature and cannot wait until the next meeting. This should be a rare occurrence and not the norm in preparing meeting agendas. Items that do not qualify as an urgent item will be considered for the next meeting agenda and will be part of that meeting's posting.
- 2) The Quorum Confirmation Policy: This policy was reviewed with the Section and it was clarified with them that if we do not hear from board members we would assume they will be attending the meeting. We will not be checking for a quorum each time. Only if we are contacted by two or more individuals indicating they will not be able to attend an upcoming scheduled meeting will we contact Section members to verify a quorum.
- 3) The Hotel Policy: This policy was reviewed with the Section regarding hotel room reservations for all meetings. The hotel policy is as follows:

DEPARTMENT POLICY

1. If the Board Member is not going to use the reserved hotel room, it is the **responsibility of the Board Member** to cancel the room by calling the hotel themselves. If the room is not cancelled, the Board Member would be responsible to pay the bill.
 2. If we cancel a meeting because of lack of quorum or no business, it should be our responsibility to cancel any room reservations.
- 4) Travel Rules and Policies: Annual meetings, intent to travel, In-State and Out-of-State travel were discussed and handouts were provided indicating the allowances for travel and limitations on in-state and out-of-state travel. The Section gets one annual meeting a year in which a designee can attend. Board approval is required to attend such annual meetings and the paperwork for the intent to travel would need to be submitted prior to attending.

BOARD MEMBERS ONLY HOTLINE

Tim Wellnitz, Director of Business and Design, informed the Section that the Board Member Hotline number is for board member use only and should not be given to others. There has been an increasing frequency of non-board members calling in on this number.

2003 DOE CASE DEADLINE

Tim Wellnitz, Director of Business and Design, reported to the Section that Eric Callisto, DOE Division Administrator, has indicated July 14, 2006 as the set deadline for the filing or resolving all 2003 cases.

2006 MEETING AND SCREENING DATES

The Board received a copy of their 2006 meeting and screening dates at today's meeting for their records and to use as a reference.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

The Board reviewed the summary reports with Bill Black, Legal Counsel, at today's meeting. Attorney Black was available to the Board for questions and clarification if needed.

**PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF
ENFORCEMENT OR ANY SUBMITTED AFTER PRINTING OF THE AGENDA**

There was one stipulation presented at today's meeting regarding Christian F. Hoffman, Case (03 GEO 001).

LEGISLATIVE ADMINISTRATIVE RULES UPDATE

Bill Black, Legal Counsel, provided an update to the Section regarding pending legislation and administrative rules at today's meeting.

NR 500 UPDATE

This rule was discussed at length during the GHSS Joint Board meeting, which was held on the morning of February 15, 2006.

ASBOG

**ASBOG ANNUAL MEETING NOVEMBER 1-6, 2005, PORTLAND, OREGON
REPORT BY TOM EVANS**

Tom Evans provided a written report to the Section regarding the ASBOG Annual Meeting held November 1-6, 2005 in Portland, Oregon. The Section discussed the various issues covered in his report and how they would affect their profession.

**ASBOG ANNUAL MEETING OCTOBER 30-NOVEMBER 5, 2006, SALT LAKE CITY,
UT (NOMINATE DELEGATE)**

The Section inquired whether additional funding would be available for Section members to participate in more than one meeting during a fiscal year. The Section would like to attend the national Association of State Boards of Geology (ASBOG) annual meeting and actively participate in the two ASBOG geology exam workshops held each year. Mr. Wellnitz shared that due to budget constraints the Department can only pay for one meeting per year. The Section can designate a member to attend an additional meeting but the member would need to pay their way.

MOTION: Joan Underwood moved, seconded by Thomas Evans, to nominate William Mode as the Section's designee and alternate Brenda Halminiak, if confirmed by that time, to attend the ASBOG Annual Meeting being held on October 30-November 5, 2006 in Salt Lake City, Utah. Motion carried unanimously.

EXAMINATION AND EDUCATION

EXAM REPORT (FYI)

The Section noted the written report submitted by Darwin Tichenor, Office of Education and Examinations, at today's meeting.

PRACTICE ISSUES

GEOLOGIST LICENSING REQUIREMENT

The Section reviewed a letter submitted to Mr. Evans. The Section then asked Mr. Wellnitz to check to see if the Department was still sending a letter to schools regarding the importance of licensure. The Section also stated that a brochure produced by ASBOG could be sent out with the letter.

SECTION MEMBER ACTIVITY

None.

MISCELLANEOUS CORRESPONDENCE

None.

NEW BUSINESS

None.

CONVENE TO CLOSED SESSION

MOTION: Joan Underwood moved, seconded by Thomas Evans, to convene to closed session to deliberate on cases following a hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g)). Motion carried by role call vote: Thomas Evans-yes; Sue Bridson-yes; William Mode-yes; and Joan Underwood Fallon-yes.

Convene to Closed Session at 1:58 p.m.

RECONVENE TO OPEN SESSION

MOTION: Joan Underwood moved, seconded by Thomas Evans to reconvene into Open Session at 2:14 p.m. Motion carried unanimously.

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**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

MONITORING REPORT OR ANY SUBMITTED AFTER MAILING OF AGENDA

None.

**CASE CLOSINGS AND CASE STATUS REPORT OR ANY SUBMITTED AFTER THE
PRINTING OF AGENDA**

05 GEO 001

MOTION: Joan Underwood moved, seconded by Sue Bridson, to close case
05 GEO 001 for prosecutorial discretion. Motion carried unanimously.

**DELIBERATION ON PROPOSED STIPULATIONS OR ANY SIGNED AFTER THE
PRINTING OF AGENDA**

**CHRISTIAN F. HOFFMAN
CASE (03 GEO 001)**

MOTION: Joan Underwood moved, seconded by Thomas Evans, to adopt
the Findings of Fact, Conclusions of Law, Order, and Stipulation in the
matter concerning Christian F. Hoffman. Motion carried unanimously.

**DELIBERATION ON PROPOSED DISCIPLINARY ACTIONS OR ANY SUBMITTED
AFTER PRINTING OF AGENDA**

None.

**DELIBERATION ON PROPOSED ADMINISTRATIVE WARNINGS OR ANY
SUBMITTED AFTER PRINTING OF AGENDA**

None.

PETITIONS FOR REHEARING RECEIVED AFTER THE MAILING OF AGENDA

None.

REINSTATEMENT REQUESTS OR ANY SUBMITTED AFTER PRINTING OF AGENDA

None.

REQUEST FOR CLASS 1 HEARINGS OR ANY REQUESTED AFTER THE PRINTING OF AGENDA

None.

APPLICATION REVIEW OR ANY SUBMITTED AFTER PRINTING OF AGENDA

None.

EXAMINATION ISSUES

None.

OTHER SUCH ITEMS AS AUTHORIZED BY LAW

None.

ADJOURNMENT

MOTION: Joan Underwood moved, seconded by Sue Bridson, to adjourn the meeting at 2:18 p.m. Motion carried unanimously.

Next Meeting: August 17, 2006